

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 1148 of 2001

Between:

M/s. EID Parry India Limited, Rep. by its Sales Executive G.Subash Chendra Bose,
a Public Limited Company, having registered office at Dare House, Chennai and a controlling Office at 66,
Rashtrapathi Road, Secunderaabd.

..... PETITIONER

AND

- 1 The Secretary, Government of Andhra Pradesh,
Food and Agriculture Department, Secretariat,
Hyderabad.
- 2 The Commissioner and Director of Agriculture, Andhra Pradesh,
Hyderabad.
- 3 The District Collector,
Mahaboobnagar.
- 4 The Joint Collector,
Mahaboobnagar.
- 5 The Assistant Director of Agriculture (R),
Jadcherla, Mahaboobnagar.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ of Mandamus or any other appropriate order or directions in the nature of a writ declaring the order dated 20-1-2001 bearing No.SC1/2098/98 issued by the District Collector, Mahaboobnagar, as arbitrary, discriminatory illegal, and without jurisdiction and consequently direct the respondents not to dispose of 143 metric tones Super Phasphote fertiliser in any public auction on 30-1-2001 or any other prior or subsequent date or otherwise dispose it of in any other manner pending disposal of the 6-A proceedings before the Joint Collector, Mahaboobnagar, STC No.15/1998 before the Special Judge for cases under Essential Commodities Act,

Hyderabad and W.P.No.1538/1999, in the in the interest of justice.

Counsel for the Petitioner:MR.B.NALIN KUMAR

Counsel for the Respondents: GP FOR AGRICULTURE (Ms. Vijaya Bharathi)

The Court made the following :

ORAL ORDER:

This writ petition is filed, questioning the proceedings dated 20.1.2001, vide No.081/2098/98, issued by the District Collector, Mahabubnagar.

Pursuant to seizure of fertilizers from the petitioner, the District Collector, by the impugned order dated 20.1.2001, directed for disposal of the seized stocks of fertilizers by way of auction, pending proceedings initiated under Section 6-A of the Essential Commodities Act. By order dated 29.1.2001, this court has granted interim directions, not to sell the seized stocks.

As much as the said interim orders continued all along, I dispose of the writ petition directing the respondents to dispose of the proceedings pending, under Section 6-A, if not already disposed of, as expeditiously as possible. The interim orders dated 29.1.2001, granted by this court, shall continue to operate, pending disposal of the 6-A proceedings.

Subject to above directions, the writ petition is disposed of. No order as to costs.

7.7.2005

CVM

To,

- 1 The Secretary, Government of Andhra Pradesh,
Food and Agriculture Department, Secretariat,
Hyderabad.
 - 2 The Commissioner and Director of Agriculture, Andhra Pradesh,
Hyderabad.
 - 3 The District Collector,
Mahaboobnagar.
 - 4 The Joint Collector,
Mahaboobnagar.
 - 5 The Assistant Director of Agriculture (R),
Jadcherla, Mahaboobnagar.
6. 2 CCs to G.P. for Agriculture, High Court buildings, Hyderabad (OUT).
7. 2 CD copies.